IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

CLYDE ISOM   **PLAINTIFF**

v.   **No. 3:07CV17-M-A**

THE GEO GROUP, INC., ET AL.   **DEFENDANTS**

ORDER DENYING PLAINTIFF'S MOTION
FOR RELIEF FROM JUDGMENT OR ORDER

This matter comes before the court on the plaintiff's motion for reconsideration of the

court's March 28, 2007, memorandum opinion and final judgment dismissing the instant case for

failure to state a claim upon which relief could be granted. The court interprets the motion, using

the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as a

motion for relief from a judgment or order under FED. R. CIV. P. 60.

The court dismissed the instant case because the plaintiff alleged facts supporting a claim

of negligence for providing defective chemical spraying equipment and insufficient safety gear,

and a negligence claim is insufficient to sustain a prisoner suit under 42 U.S.C. § 1983. In his

motion for relief from judgment, the plaintiff alleges facts supporting, at most, a claim of

negligence on the part of the defendants. As the plaintiff has provided the court with no reason

to alter is initial ruling, the motion for reconsideration shall be denied.

An order granting relief under Rule 60 must be based upon: (1) clerical mistakes, (2)

mistake, inadvertence, surprise, or excusable neglect, (3) newly discovered evidence, (4) fraud or

other misconduct of an adverse party, (5) a void judgment, or (6) any other reason justifying

relief from the operation of the order. The plaintiff has neither asserted nor proven any of the

specific justifications for relief from an order permitted under Rule 60. In addition, the plaintiff

has not presented "any other reason justifying relief from the operation" of the judgment. As

such, the plaintiff's request for reconsideration is **DENIED.**

       SO ORDERED, this the3rd day of March, 2008.

                           /s/ MICHAEL P. MILLS
                           CHIEF JUDGE
                           UNITED STATES DISTRICT COURT
                           NORTHERN DISTRICT OF MISSISSIPPI